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Attorneys for Defendant
FUJITSU MICROELECTRONICS AMERICA, INC.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiff,

vs.

FUJITSU LIMITED, FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

CIVIL CASE NO. 06-CV-00025

**NON-AGREEMENT OF HEARING
DATE FOR FUJITSU
MICROELECTRONICS AMERICA,
INC.'S MOTION TO DISMISS OR
TRANSFER TO THE NORTHERN
DISTRICT OF CALIFORNIA AND
FOR A MORE DEFINITE
STATEMENT**

FILED
DISTRICT COURT OF GUAM

DEC 11 2006 *mb*

MARY L.M. MORAN
CLERK OF COURT

Pursuant to Local Rule 7.1, the parties hereby acknowledge the following:

1. I, Daniel M. Benjamin, am the attorney for the defendant Fujitsu Microelectronics America, Inc. ("FMA") in this matter. I contacted the attorney for the opposing parties in this action to agree upon a date for oral argument of FMA's Motion To Dismiss Or Transfer To The Northern District Of California And For A More Definite Statement.

2. The attorney for plaintiffs is Joseph C. Razzano.

3. The date I proposed was: January 17, 2007, at 10:00 a.m. Mr. Razzano initially indicated that he had to check with co-counsel. After the filing, I heard back from Mr. Razzano, who indicated that Plaintiffs did *not* agree to the proposed hearing date, but *did* agree that a hearing was necessary. We did not, however, agree to an alternative date, and FMA hereby requests the above-stated date.

4. My office contacted the Deputy Clerk of Court to ensure that the Court is available on the above date.

Respectfully submitted this 11th day of December, 2006.

CALVO & CLARK, LLP
MILBANK, TWEED, HADLEY
& MCCLOY LLP
Attorneys for Defendant
Fujitsu Microelectronics America, Inc.

By:


DANIEL M. BENJAMIN